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February 25, 2016

Jared Blumenfeld, Regional Administrator
U.S. EPA, Pacific Southwest, Region 9
75 Hawthorne Street
San Francisco, California 94105
(and via E-mail: Blumenfeld.Jared@epa.gov)

Jeff Scott, Director, Land Division
U.S. EPA, Pacific Southwest, Region 9
75 Hawthorne Street
San Francisco, California 94105
(and via E-mail: Scott.Jeff@epa.gov)

Dear Mr. Blumenfeld and Mr. Scott:

**RE: TIME-SENSITIVE INVESTIGATION REQUEST —
CHLORPYRIFOS WORKER POISONING INCIDENT**

I would like to request that the Environmental Protection Agency (EPA) immediately investigate the worker health and safety implications that surround the Wednesday, January 20, 2016 incident in which at least ten (10) Syngenta field workers were transported to the Kaua'i Veterans Memorial Hospital (KVMH) and treated for exposure to chlorpyrifos, a restricted use pesticide (See Attached).

The full factual details of this matter have not been released by Syngenta but it is my understanding that there may have been thirty (30) or more workers in the field at the time of exposure, with ten (10) to twelve (12) being transferred to the hospital for medical treatment and observation.

It is also my understanding that Syngenta management has acknowledged the field had not been properly posted with warning signs notifying workers to not enter for a 24-hour period.

Further, it is my understanding that most of the affected workers were contract workers from out-of-state, that English may not be their native language, and that they were contracted through a company called Global Ag Services.

Jared Blumenfeld, Regional Administrator
Jeff Scott, Director, Land Division
Re: Time-Sensitive Investigation Request—Chlorpyrifos Worker Poisoning Incident
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I am concerned that these field workers will soon be “sent back to where they came from” or have already departed Hawai‘i, and thus may not have access to follow-up medical care or monitoring should that be needed. It is also not clear if any of the affected workers had other medical issues that might be exacerbated by their exposure to chlorpyrifos, whether urine samples were collected, et cetera.

While the State of Hawai‘i Department of Agriculture has indicated they intend to investigate this matter, my personal experience with this agency is that they do not have the resources or the motivation to conduct a thorough investigation and it will be years before they conclude their findings.

To restate: The State Department of Agriculture is not the appropriate agency to investigate the field worker health issues. In addition, given the history of the Department it is unlikely that the offending company will incur any sanctions or penalties for their failure to protect the workers by failing to comply with the label requirements for proper posting.

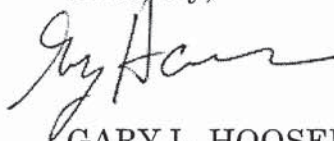
Please note further that past State of Hawai‘i studies indicate chlorpyrifos in small amounts has been detected both in the air at the Waimea Canyon Middle School, and in nearby drainage ditches leading to nearshore waters.

If the EPA is already investigating this incident I would greatly appreciate being informed of the status and would be pleased to meet with any investigators as may be appropriate, to provide further information I have available.

Thank you in advance for your interest in this very serious situation and for recognizing the time-sensitive nature pertaining to the migrant field workers who may be relocated in the very near future.

Should you have any questions, please feel free to contact me at ghooser@kauai.gov, or Council Services Staff at (808) 241-4188.

Sincerely,



GARY L. HOOSER

Councilmember, Kaua‘i County Council

JA:dmc
Attachment



February 25, 2016 | 76° | Check Traffic

Hawaii News

Kauai farmworkers hospitalized after being exposed to pesticide

A West Kauai agribusiness operation sent 10 farmworkers to the hospital Wednesday after they were exposed to a pesticide that the U.S. Environmental Protection Agency is considering banning.

Josh Uyehara, Syngenta station manager on Kauai, said some workers on Wednesday entered a cornfield that had been sprayed 20 hours earlier with the pesticide. The recommended wait period for the pesticide is 24 hours.

The field had been sprayed with chlorpyrifos, which goes by the brand name Lorsban. Within a few minutes of being on site, a manager informed the farmworkers that they should not have entered the area, ushered them out and offered immediate access to medical care, Uyehara said.

Ten workers were taken by company vehicles to Kauai Veterans Memorial Hospital in Waimea, where some were treated and released that day. Others were kept overnight for observation, Uyehara said. Some have since returned to work, but others are expected to return Monday. He would disclose information about any symptoms they experienced, citing health privacy laws.

Chlorpyrifos can overstimulate the nervous system, causing nausea, dizziness, confusion and, at very high exposures, respiratory paralysis and death, the EPA says.

"Safety really is a priority for us," Uyehara said, adding action was taken immediately.

The EPA eliminated all homeowner use chlorpyrifos in 2000 except for ant and roach

bait traps in child-resistant packaging and fire-ant mound treatment. Its use as a termiticide was phased out. It was discontinued on tomatoes, and its use was later restricted on other crops. In 2012, it was significantly lowered for pesticide use and no-spray buffer zones were created around homes and public spaces.

The EPA has proposed revoking all uses of chlorpyrifos by Oct. 30. The matter is now undergoing registration review, which is a program that re-evaluates all pesticides on a 15-year cycle.

If revoked, EPA would have to cancel the registration for associated food uses, including crops such as corn, soy, broccoli, cauliflower, cabbage and citrus.

"Based on EPA's current analysis, there do not appear to be risks from exposure to chlorpyrifos from food, but when that exposure is combined with estimated exposure from drinking water in certain watersheds, EPA cannot conclude that the risk from the potential aggregate exposure meets the (Federal Food, Drug, and Cosmetic Act) safety standard," the EPA says on its website.

"EPA's 2014 revised human health risk assessment showed the potential for risks in small watersheds with high concentrations of farming where chlorpyrifos may be widely used," the EPA said. The agency has assessed two regions — the Pacific Northwest and the Southeast areas. Hawaii has yet to be assessed.

Syngenta is one of several large agribusinesses operating on Kauai that have been criticized by some residents for their use of pesticides and their cultivation of genetically modified crops.

Uyehara said he notified the Hawaii Occupational Safety and Health Office and the Agriculture Department about Wednesday's incident.

An Agriculture Department official said the department was notified Thursday and is conducting an investigation to help determine what pesticide label violation(s) may have occurred. The department reported it to the Environmental Protection Agency Region 9.

Kauai County Councilman Gary Hooser said, "It is truly unfortunate that Syngenta continues to use this chemical even though the EPA has raised so many red flags."

He said chlorpyrifos has been found in small amounts in the air at Waimea Canyon Middle School and in water in Kekaha Ditch.

Hooser asked whether the Kauai County Department of Water Supply will test the drinking water for chlorpyrifos, and the agency said it "will wait for the EPA to complete a drinking water analysis for the entire country," as well as wait for the EPA to finalize its ruling on the chemical.

A joint fact-finding report, ordered January 2015 by the Agriculture Department and

the Kauai mayor, is due out this month.

The field where the workers were exposed is on several hundred acres cultivated by Syngenta in an area called Mana Plains, which is 2 miles from the westernmost homes in Kekaha, Uyehara said.

The company grows a mix of conventional and genetically modified corn and soybeans, and that particular field grows seed corn, both conventional and GMO. Their fields are not involved in testing or developing pesticides.

"For us the bottom line is it is still registered in the state," and making sure the company follows the product label, according to the federal guidelines, Uyehara said.

He said the EPA has a standard process and, at any given time, the EPA is reviewing many products.

Hooser said he has concerns that if migrant workers are used, they may leave after three months, and there is no monitoring of their health, and may not have the same protection as regular employees.

Uyehara said the company follows all labor requirements and are concerned for their workers' welfare. The workers are contracted by a third-party company that provides farm laborers, most of whom are local. The agency exhausts local options before looking to migrant workers, typically from the West Coast, he said.

Uyehara said the company has 108 regular employees and anywhere from five to 200 third-party agency employees to perform seasonal fieldwork on Kauai.